

Calendar No. 176

103D CONGRESS
1ST SESSION

H. R. 631

AN ACT

To designate certain lands in the State of Colorado as components of the National Wilderness Preservation System, and for other purposes.

AUGUST 3 (legislative day, JUNE 30), 1993
Reported without amendment

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IN THE SENATE OF THE UNITED STATES

JULY 20 (legislative day, JUNE 30), 1993

Received; read twice and referred to the Committee on Energy and Natural
Resources

AUGUST 3 (legislative day, JUNE 30), 1993

Reported by Mr. JOHNSTON, without amendment

AN ACT

To designate certain lands in the State of Colorado as components of the National Wilderness Preservation System, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE AND DEFINITIONS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Colorado Wilderness Act of 1993”.

6 (b) DEFINITIONS.—(1) As used in this Act with ref-
7 erence to lands in the National Forest System, the term
8 “the Secretary” means the Secretary of Agriculture.

1 (2) As used in this Act with respect to lands not in
2 the National Forest System, the term “the Secretary”
3 means the Secretary of the Interior.

4 **SEC. 2. ADDITIONS TO THE WILDERNESS PRESERVATION**
5 **SYSTEM.**

6 (a) ADDITIONS.—The following lands in the State of
7 Colorado are hereby designated as wilderness and, there-
8 fore, as components of the National Wilderness Preserva-
9 tion System:

10 (1) Certain lands in the Gunnison Resource
11 Area administered by the Bureau of Land Manage-
12 ment which comprise approximately 3,390 acres, as
13 generally depicted on a map entitled “American
14 Flats Additions to the Big Blue Wilderness Proposal
15 (American Flats)”, dated January, 1993, and which
16 are hereby incorporated in and shall be deemed to
17 be a part of the wilderness area designated by sec-
18 tion 102(a)(1) of Public Law 96–560 and renamed
19 Uncompahgre Wilderness by section 3(f) of this Act.

20 (2) Certain lands in the Gunnison Resource
21 Area administered by the Bureau of Land Manage-
22 ment which comprise approximately 815 acres, as
23 generally depicted on a map entitled “Bill Hare
24 Gulch and Larson Creek Additions to the Big Blue
25 Wilderness”, dated January, 1993, and which are

1 hereby incorporated in and shall be deemed to be a
2 part of the wilderness area designated by section
3 102(a)(1) of Public Law 96-560 and renamed
4 Uncompahgre Wilderness by section 3(f) of this Act.

5 (3) Certain lands in the Pike and San Isabel
6 National Forests which comprise approximately
7 43,410 acres, as generally depicted on a map enti-
8 tled "Buffalo Peaks Wilderness Proposal", dated
9 January, 1993, and which shall be known as the
10 Buffalo Peaks Wilderness.

11 (4) Certain lands in the Gunnison National
12 Forest and in the Powderhorn Primitive Area ad-
13 ministered by the Bureau of Land Management
14 which comprise approximately 60,100 acres, as gen-
15 erally depicted on a map entitled "Powderhorn Wil-
16 derness Proposal", dated January, 1993, and which
17 shall be known as the Powderhorn Wilderness.

18 (5) Certain lands in the Routt National Forest
19 which comprise approximately 20,750 acres, as gen-
20 erally depicted on a map entitled "Davis Peak Addi-
21 tions to Mount Zirkel Wilderness Proposal", dated
22 January, 1993, and which are hereby incorporated
23 in and shall be deemed to be a part of the Mount
24 Zirkel Wilderness designated by Public Law 88-555,
25 as amended by Public Law 96-560.

1 (6) Certain lands in the Gunnison National
2 Forests which comprise approximately 33,060 acres,
3 as generally depicted on a map entitled “Fossil
4 Ridge Wilderness Proposal”, dated January, 1993,
5 and which shall be known as the Fossil Ridge Wil-
6 derness.

7 (7) Certain lands in the San Isabel National
8 Forest which comprise approximately 22,040 acres,
9 as generally depicted on a map entitled “Greenhorn
10 Mountain Wilderness Proposal”, dated January,
11 1993, and which shall be known as the Greenhorn
12 Mountain Wilderness.

13 (8) Certain lands within the Pike National For-
14 est which comprise approximately 14,700 acres, as
15 generally depicted on a map entitled “Lost Creek
16 Wilderness Addition Proposal”, dated January,
17 1993, which are hereby incorporated in and shall be
18 deemed to be a part of the Lost Creek Wilderness
19 designated by Public Law 96–560: *Provided*, That
20 the Secretary is authorized to acquire, only by dona-
21 tion or exchange, various mineral reservations held
22 by the State of Colorado within the boundaries of
23 the Lost Creek Wilderness additions designated by
24 this Act.

1 (9) Certain lands in the Gunnison National
2 Forests which comprise approximately 5,500 acres,
3 as generally depicted on a map entitled “O-Be-Joy-
4 ful Addition to the Raggeds Wilderness Proposal”,
5 dated January, 1993, and which are hereby incor-
6 porated in and shall be deemed to be a part of the
7 Raggeds Wilderness designated by Public Law 96-
8 560.

9 (10) Certain lands in the Rio Grande and San
10 Isabel National Forests and lands in the San Luis
11 Resource Area administered by the Bureau of Land
12 Management which comprise approximately 226,455
13 acres, as generally depicted on four maps entitled
14 “Sangre de Cristo Wilderness Proposal (North Sec-
15 tion)”, “Sangre de Cristo Wilderness Proposal
16 (North Middle Section)”, “Sangre de Cristo Wilder-
17 ness Proposal (South Middle Section)”, and “Sangre
18 de Cristo Wilderness Proposal (South Section)”, all
19 dated January, 1993, and which shall be known as
20 the Sangre de Cristo Wilderness.

21 (11) Certain lands in the Routt National Forest
22 which comprise approximately 47,140 acres, as gen-
23 erally depicted on a map entitled “Service Creek
24 Wilderness Proposal (Sarvis Creek Wilderness)”,

1 dated January, 1993, and which shall be known as
2 the Sarvis Creek Wilderness.

3 (12) Certain lands in the San Juan National
4 Forest which comprise approximately 31,100 acres,
5 as generally depicted on two maps, one entitled
6 “South San Juan Wilderness Expansion Proposal,
7 Montezuma Peak” and the other entitled “South
8 San Juan Wilderness Expansion Proposal, V-Rock
9 Trail”, both dated January, 1993, and which are
10 hereby incorporated in and shall be deemed to be a
11 part of the South San Juan Wilderness designated
12 by Public Law 96–560.

13 (13) Certain lands in the White River National
14 Forest which comprise approximately 8,330 acres, as
15 generally depicted on a map entitled “Spruce Creek
16 Addition to the Hunter-Fryingpan Wilderness Pro-
17 posal”, dated January, 1993, and which are hereby
18 incorporated in and shall be deemed to be part of
19 the Hunter Fryingpan Wilderness designated by
20 Public Law 95–327: *Provided*, That no right, or
21 claim of right, to the diversion and use of waters by
22 the Fryingpan–Arkansas Project shall be prejudiced,
23 expanded, diminished, altered, or affected by this
24 Act, nor shall anything in this Act be construed to
25 expand, abate, impair, impede, limit, interfere with,

1 or prevent the construction, operation, use, mainte-
2 nance, or repair of the project facilities and diver-
3 sion systems to their full extent.

4 (14) Certain lands in the Arapaho National
5 Forest which comprise approximately 8,095 acres, as
6 generally depicted on a map entitled “Byers Peak
7 Wilderness Proposal”, dated January, 1993, and
8 which shall be known as the Byers Peak Wilderness.

9 (15) Certain lands in the Arapaho National
10 Forest which comprise approximately 12,300 acres,
11 as generally depicted on a map entitled “Vasquez
12 Peak Wilderness Proposal”, dated January, 1993,
13 and which shall be known as the Vasquez Peak
14 Wilderness.

15 (16) Certain lands in the San Juan National
16 Forest which comprise approximately 28,740 acres,
17 as generally depicted on a map entitled “West Nee-
18 dle Wilderness Proposal and Weminuche Additions”,
19 dated January, 1993, and which are hereby incor-
20 porated in and shall be deemed to be a part of the
21 Weminuche Wilderness designated by Public Law
22 93–632, as amended by Public Law 96–560.

23 (17) Certain lands in the Rio Grande National
24 Forest which comprise approximately 25,640 acres,
25 as generally depicted on a map entitled “Wheeler

1 Addition to the La Garita Wilderness Proposal”,
2 dated January, 1993, and which shall be incor-
3 porated in and shall be deemed to be a part of the
4 La Garita Wilderness designated by Public Law 96–
5 560.

6 (18) Certain lands in the Arapaho National
7 Forest which comprise approximately 13,175 acres,
8 as generally depicted on a map entitled “Farr Wil-
9 derness Proposal”, dated January, 1993, and which
10 shall be known as the Ptarmigan Peak Wilderness.

11 (19) Certain lands in the Arapaho National
12 Forest which comprise approximately 6,990 acres, as
13 generally depicted on a map entitled “Bowen Gulch
14 Additions to Never Summer Wilderness Proposal”,
15 dated January, 1993, and which are hereby incor-
16 porated in and shall be deemed to be a part of the
17 Never Summer Wilderness designated by Public Law
18 96–560.

19 (b) MAPS AND DESCRIPTIONS.—As soon as prac-
20 ticable after the date of enactment of this Act, the appro-
21 priate Secretary shall file a map and a boundary descrip-
22 tion of each area designated as wilderness by this Act with
23 the Committee on Energy and Natural Resources of the
24 United States Senate and the Committee on Natural Re-
25 sources of the United States House of Representatives.

1 Each map and description shall have the same force and
2 effect as if included in this Act, except that the appro-
3 priate Secretary is authorized to correct clerical and typo-
4 graphical errors in such boundary descriptions and maps.
5 Such maps and boundary descriptions shall be on file and
6 available for public inspection in the Office of the Chief
7 of the Forest Service, Department of Agriculture, and the
8 Office of the Director of the Bureau of Land Management,
9 Department of the Interior, as appropriate.

10 **SEC. 3. ADMINISTRATIVE PROVISIONS.**

11 (a) IN GENERAL.—(1) Subject to valid existing
12 rights, lands designated as wilderness by this Act shall be
13 managed by the Secretary of Agriculture or the Secretary
14 of the Interior, as appropriate, in accordance with the Wil-
15 derness Act (16 U.S.C. 1131 et seq.) and this Act, except
16 that, with respect to any wilderness areas designated by
17 this Act, any reference in the Wilderness Act to the effec-
18 tive date of the Wilderness Act shall be deemed to be a
19 reference to the date of enactment of this Act.

20 (2) Administrative jurisdiction over those lands des-
21 ignated as wilderness pursuant to paragraphs (2) and (10)
22 of section 2(a) of this Act, and which, as of the date of
23 enactment of this Act, are administered by the Bureau
24 of Land Management, is hereby transferred to the Forest

1 Service and such lands are hereby added to the appro-
2 priate National Forest.

3 (b) GRAZING.—Grazing of livestock in wilderness
4 areas designated by this Act shall be administered in
5 accordance with the provisions of section 4(d)(4) of the
6 Wilderness Act (16 U.S.C. 1133(d)(4)), as further
7 interpreted by section 108 of Public Law 96–560, and,
8 as regards wilderness managed by the Bureau of Land
9 Management, the guidelines set forth in Appendix A of
10 House Report 101–405 of the 101st Congress.

11 (c) STATE JURISDICTION.—As provided in section
12 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)),
13 nothing in this Act shall be construed as affecting the ju-
14 risdiction or responsibilities of the State of Colorado with
15 respect to wildlife and fish in Colorado.

16 (d) CONFORMING AMENDMENT.—Section 2(e) of the
17 Endangered American Wilderness Act of 1978 (92 Stat.
18 41) is amended by striking “Subject to” and all that
19 follows through “System.”.

20 (e) BUFFER ZONES.—Congress does not intend that
21 the designation by this Act of wilderness areas in the State
22 of Colorado creates or implies the creation of protective
23 perimeters or buffer zones around any wilderness area.
24 The fact that nonwilderness activities or uses can be seen
25 or heard from within a wilderness area shall not, of itself,

1 preclude such activities or uses up to the boundary of the
2 wilderness area.

3 (f) WILDERNESS NAME CHANGE.—The wilderness
4 area designated as “Big Blue Wilderness” by section
5 102(a)(1) of Public Law 96–560, and the additions there-
6 to made by paragraphs (1) and (2) of section 2(a) of this
7 Act, shall hereafter be known as the Uncompahgre Wilder-
8 ness. Any reference to the Big Blue Wilderness in any law,
9 regulation, map, document, record, or other paper of the
10 United States shall be considered to be a reference to the
11 Uncompahgre Wilderness.

12 (g) BOUNDARIES AND AUTHORIZATIONS TO USE
13 LANDS.—(1) For the purpose of section 7 of the Land
14 and Water Conservation Fund Act of 1965 (16 U.S.C.
15 4601–9), the boundaries of affected National Forests, as
16 modified by this section, shall be considered to be the
17 boundaries of such National Forests as of January 1,
18 1965.

19 (2) Nothing in this subsection shall affect valid exist-
20 ing rights of any person under the authority of law.

21 (3) Authorizations to use lands transferred by this
22 section which were issued prior to the date of enactment
23 of this Act shall remain subject to the laws and regulations
24 under which they were issued, to the extent consistent with
25 this Act. Such authorizations shall be administered by the

1 Secretary of Agriculture. Any renewal or extension of such
2 authorizations shall be subject to the laws and regulations
3 pertaining to the Forest Service, Department of Agri-
4 culture, and the applicable law, including this Act. The
5 change of administrative jurisdiction resulting from the
6 enactment of this section shall not in itself constitute a
7 basis for denying or approving the renewal or reissuance
8 of any such authorization.

9 **SEC. 4. WILDERNESS RELEASE.**

10 (a) REPEAL OF WILDERNESS STUDY PROVISIONS.—
11 Sections 105 and 106 of the Act of December 22, 1980
12 (Public Law 96–560), are hereby repealed.

13 (b) INITIAL PLANS.—Section 107(b)(2) of the Act of
14 December 22, 1980 (Public Law 96–560), is amended by
15 striking out “except those lands remaining in further plan-
16 ning upon enactment of this Act, areas listed in section
17 105 and 106 of this Act, or previously congressionally des-
18 ignated wilderness study areas,”.

19 **SEC. 5. FOSSIL RIDGE RECREATION MANAGEMENT AREA.**

20 (a) ESTABLISHMENT.—(1) In order to conserve, pro-
21 tect, and enhance the scenic, wildlife, recreational, and
22 other natural resource values of the Fossil Ridge area,
23 there is hereby established the Fossil Ridge Recreation
24 Management Area (hereinafter referred to as the “recre-
25 ation management area”).

1 (2) The recreation management area shall consist of
2 certain lands in the Gunnison National Forest, Colorado,
3 which comprise approximately 43,900 acres, as generally
4 depicted as “Area A” on a map entitled “Fossil Ridge
5 Wilderness Proposal”, dated January, 1993.

6 (b) ADMINISTRATION.—The Secretary of Agriculture
7 shall administer the recreation management area in ac-
8 cordance with this section and the laws and regulations
9 generally applicable to the National Forest System.

10 (c) WITHDRAWAL.—Subject to valid existing rights,
11 all lands within the recreation management area are here-
12 by withdrawn from all forms of entry, appropriation, or
13 disposal under the public land laws, from location, entry,
14 and patent under the mining laws, and from disposition
15 under the mineral and geothermal leasing laws, including
16 all amendments thereto.

17 (d) TIMBER HARVESTING.—No timber harvesting
18 shall be allowed within the recreation management area
19 except to the extent that would be permitted in wilderness
20 under section 4(d)(1) of the Wilderness Act for necessary
21 control of fire, insects, and diseases, and for public safety.

22 (e) LIVESTOCK GRAZING.—The designation of the
23 recreation management area shall not be construed to pro-
24 hibit, or change the administration of, the grazing of live-
25 stock within the recreation management area.

1 (f) DEVELOPMENT.—No developed campgrounds
2 shall be constructed within the recreation management
3 area. After the date of enactment of this Act, no new roads
4 or trails may be constructed within the recreation manage-
5 ment area.

6 (g) OFF-ROAD RECREATION.—Motorized travel shall
7 be permitted within the recreation management area only
8 on those established trails and routes existing as of July
9 1, 1991, on which such travel was permitted as of such
10 date, except that other trails and routes may be used
11 where necessary for administrative purposes or to respond
12 to an emergency. No later than one year after the date
13 of enactment of this Act, the Secretary shall identify such
14 routes and trails and shall prepare and make available to
15 the public a map showing such routes and trails. Nothing
16 in this subsection shall be construed as precluding the Sec-
17 retary from closing any trail or route from use for pur-
18 poses of resource protection or public safety.

19 **SEC. 6. BOWEN GULCH PROTECTION AREA.**

20 (a) ESTABLISHMENT.—(1) There is hereby estab-
21 lished in the Arapaho National Forest, Colorado, the
22 Bowen Gulch Protection Area (hereinafter in this Act
23 referred to as the “protection area”).

24 (2) The protection area shall consist of certain lands
25 in the Arapaho National Forest, Colorado, which comprise

1 approximately 11,600 acres, as generally depicted as
2 “Area A” on a map entitled “Bowen Gulch Additions to
3 Never Summer Wilderness Proposal”, dated January,
4 1993.

5 (b) ADMINISTRATION.—The Secretary shall admin-
6 ister the protection area in accordance with this section
7 and the laws and regulations generally applicable to the
8 National Forest System.

9 (c) WITHDRAWAL.—Subject to valid existing rights,
10 all lands within the protection area are hereby withdrawn
11 from all forms of entry, appropriation, or disposal under
12 the public land laws, from location, entry, and patent
13 under the mining laws, and from disposition under the
14 mineral and geothermal leasing laws, including all amend-
15 ments thereto.

16 (d) DEVELOPMENT.—No developed campgrounds
17 shall be constructed within the protection area. After the
18 date of enactment of this Act, no new roads or trails may
19 be constructed within the protection area.

20 (e) TIMBER HARVESTING.—No timber harvesting
21 shall be allowed within the protection area except to the
22 extent that would be permitted in wilderness under section
23 4(d)(1) of the Wilderness Act for necessary control of fire,
24 insects, and diseases, and for public safety.

1 (f) **MOTORIZED TRAVEL.**—Motorized travel shall be
2 permitted within the protection area only on those des-
3 ignated trails and routes existing as of July 1, 1991, and
4 only during periods of adequate snow cover. At all other
5 times, mechanized, non-motorized travel shall be per-
6 mitted within the protection area.

7 (g) **MANAGEMENT PLAN.**—During the revision of the
8 Land and Resource Management Plan for the Arapaho
9 National Forest, the Forest Service shall develop a man-
10 agement plan for the protection area, after providing for
11 public comment.

12 **SEC. 7. OTHER LANDS.**

13 Nothing in this Act shall affect ownership or use of
14 lands or interests therein not owned by the United States
15 or access to such lands available under other applicable
16 law.

17 **SEC. 8. WATER.**

18 (a) **FINDINGS, PURPOSE, AND DEFINITION.**—(1)
19 Congress finds that—

20 (A) the lands designated as wilderness by this
21 Act are located at the headwaters of the streams
22 and rivers on those lands, with few, if any, actual or
23 proposed water resource facilities located upstream
24 from such lands and few, if any, opportunities for
25 diversion, storage, or other uses of water occurring

1 outside such lands that would adversely affect the
2 wilderness values of such lands;

3 (B) the lands designated as wilderness by this
4 Act are not suitable for use for development of new
5 water resource facilities, or for the expansion of ex-
6 isting facilities; and

7 (C) therefore, it is possible to provide for prop-
8 er management and protection of the wilderness
9 value of such lands in ways different from those uti-
10 lized in other legislation designating as wilderness
11 lands not sharing the attributes of the lands des-
12 igned as wilderness by this Act.

13 (2) The purpose of this section is to protect the wil-
14 derness values of the lands designated as wilderness by
15 this Act by means other than those based on a Federal
16 reserved water right.

17 (3) As used in this section, the term “water resource
18 facility” means irrigation and pumping facilities, res-
19 ervoirs, water conservation works, aqueducts, canals,
20 ditches, pipelines, wells, hydropower projects, and trans-
21 mission and other ancillary facilities, and other water di-
22 version, storage, and carriage structures.

23 (b) RESTRICTIONS ON RIGHTS AND DISCLAIMER OF
24 EFFECT.—(1) Neither the Secretary of Agriculture nor
25 the Secretary of the Interior, nor any other officer, em-

1 ployee, representative, or agent of the United States, nor
2 any other person, shall assert in any court or agency, nor
3 shall any court or agency consider, any claim to or for
4 water or water rights in the State of Colorado, which is
5 based on any construction of any portion of this Act, or
6 the designation of any lands as wilderness by this Act,
7 as constituting an express or implied reservation of water
8 or water rights.

9 (2)(A) Nothing in this Act shall constitute or be con-
10 strued to constitute either an express or implied reserva-
11 tion of any water or water rights with respect to the
12 Piedra, Roubideau, and Tabeguache areas identified in
13 section 9 of this Act, or the Bowen Gulch Protection Area
14 or the Fossil Ridge Recreation Management Area identi-
15 fied in sections 5 and 6 of this Act.

16 (B) Nothing in this Act shall be construed as a cre-
17 ation, recognition, disclaimer, relinquishment, or reduction
18 of any water rights of the United States in the State of
19 Colorado existing before the date of enactment of this Act,
20 except as provided in subsection (g)(2) of this section.

21 (C) Except as provided in subsection (g) of this sec-
22 tion, nothing in this Act shall be construed as constituting
23 an interpretation of any other Act or any designation
24 made by or pursuant thereto.

1 (D) Nothing in this section shall be construed as es-
2 tablishing a precedent with regard to any future wilder-
3 ness designations.

4 (c) NEW OR EXPANDED PROJECTS.—Notwithstand-
5 ing any other provision of law, on and after the date of
6 enactment of this Act neither the President nor any other
7 officer, employee, or agent of the United States shall fund,
8 assist, authorize, or issue a license or permit for the devel-
9 opment of any new water resource facility within the areas
10 described in sections 2, 5, 6, and 9 of this Act or the en-
11 largement of any water resource facility within the areas
12 described in sections 2, 5, 6, and 9 of this Act.

13 (d) ACCESS AND OPERATION.—(1) Subject to the
14 provisions of this subsection (d), the Secretary shall allow
15 reasonable access to water resource facilities in existence
16 on the date of enactment of this Act within the areas de-
17 scribed in sections 2, 5, 6, and 9 of this Act, including
18 motorized access where necessary and customarily em-
19 ployed on routes existing as of the date of enactment of
20 this Act.

21 (2) Existing access routes within such areas cus-
22 tomarily employed as of the date of enactment of this Act
23 may be used, maintained, repaired, and replaced to the
24 extent necessary to maintain their present function, de-
25 sign, and serviceable operation, so long as such activities

1 have no increased adverse impacts on the resources and
2 values of the areas described in sections 2, 5, 6, and 9
3 of this Act than existed as of the date of enactment of
4 this Act.

5 (3) Subject to the provisions of subsections (c) and
6 (d), the Secretary shall allow water resource facilities ex-
7 isting on the date of enactment of this Act within areas
8 described in sections 2, 5, 6, and 9 of this Act to be used,
9 operated, maintained, repaired, and replaced to the extent
10 necessary for the continued exercise, in accordance with
11 Colorado state law, of vested water rights adjudicated for
12 use in connection with such facilities by a court of com-
13 petent jurisdiction prior to the date of enactment of this
14 Act: *Provided*, That the impact of an existing facility on
15 the water resources and values of the area shall not be
16 increased as a result of changes in the adjudicated type
17 of use of such facility as of the date of enactment of this
18 Act.

19 (4) Water resource facilities, and access routes serv-
20 ing such facilities, existing within the areas described in
21 sections 2, 5, 6, and 9 of this Act on the date of enactment
22 of this Act shall be maintained and repaired when and
23 to the extent necessary to prevent increased adverse im-
24 pacts on the resources and values of the areas described
25 in sections 2, 5, 6, and 9 of this Act.

1 (e) EXISTING PROJECTS.—Except as provided in
2 subsections (c) and (d) of this section, the provisions of
3 this Act related to the areas described in sections 2, 5,
4 6, and 9 of this Act, and the inclusion in the National
5 Wilderness Preservation System of the areas described in
6 section 2 of this Act, shall not be construed to affect or
7 limit the use, operation, maintenance, repair, modification,
8 or replacement of water resources facilities in existence on
9 the date of enactment of this Act within the boundaries
10 of the areas described in sections 2, 5, 6, and 9 of this
11 Act.

12 (f) MONITORING AND IMPLEMENTATION.—The Sec-
13 retaries of Agriculture and the Interior shall monitor the
14 operation of and access to water resource facilities within
15 the areas described in sections 2, 5, 6, and 9 of this Act
16 and take all steps necessary to implement the provisions
17 of this section.

18 (g) INTERSTATE COMPACTS AND NORTH PLATTE
19 RIVER.—(1) Nothing in this Act, and nothing in any pre-
20 vious Act designating any lands as wilderness, shall be
21 construed as limiting, altering, modifying, or amending
22 any of the interstate compacts or equitable apportionment
23 decrees that apportion water among and between the State
24 of Colorado and other States. Except as expressly provided
25 in this section, nothing in this Act shall affect or limit

1 the development or use by existing and future holders of
2 vested water rights of Colorado's full apportionment of
3 such waters.

4 (2) Notwithstanding any other provision of law, nei-
5 ther the Secretary of Agriculture nor any other officer,
6 employee, or agent of the United States, or any other per-
7 son, shall assert in any court or agency of the United
8 States or any other jurisdiction any rights, and no court
9 or agency of the United States shall consider any claim
10 or defense asserted by any person based upon such rights,
11 which may be determined to have been established for wa-
12 ters of the North Platte River for purposes of the Platte
13 River Wilderness Area established by Public Law 98-550,
14 located on the Colorado-Wyoming State boundary, to the
15 extent such rights would limit the use or development of
16 water within Colorado by present and future holders of
17 vested water rights in the North Platte River and its tribu-
18 taries, to the full extent allowed under interstate compact
19 or United States Supreme Court equitable decree. Any
20 such rights shall be exercised as if junior to, in a manner
21 so as not to prevent, the use or development of Colorado's
22 full entitlement to interstate waters of the North Platte
23 River and its tributaries within Colorado allowed under
24 interstate compact or United States Supreme Court equi-
25 table decree.

1 **SEC. 9. PIEDRA, ROUBIDEAU, AND TABEGUACHE AREAS.**

2 (a) AREAS.—The provisions of this section shall
3 apply to the following areas:

4 (1) Certain lands in the San Juan National
5 Forest, Colorado, comprising approximately 62,550
6 acres, as generally depicted on the map entitled
7 “Piedra Area” dated January, 1993.

8 (2) Certain lands in the Uncompahgre National
9 Forest, Colorado, comprising approximately 19,650
10 acres, as generally depicted on the map entitled
11 “Roubideau Area” dated January, 1993.

12 (3) Certain lands in the Uncompahgre National
13 Forest, Colorado and in the San Juan Resource
14 Area administered by the Bureau of Land Manage-
15 ment, comprising approximately 17,240 acres, as
16 generally depicted on the map entitled “Tabeguache
17 Area” dated January, 1993.

18 (b) MANAGEMENT.—(1) Subject to valid existing
19 rights, the areas described in subsection (a) are withdrawn
20 from all forms of location, leasing, patent, disposition, or
21 disposal under public land, mining, and mineral and geo-
22 thermal leasing laws of the United States.

23 (2) The areas described in subsection (a) shall not
24 be subject to any obligation to further study such lands
25 for wilderness designation.

1 (3) Until Congress determines otherwise, and subject
2 to the provisions of section 8 of this Act, activities within
3 such areas shall be managed by the Secretary of Agri-
4 culture and the Secretary of the Interior, as appropriate,
5 so as to maintain the areas' presently existing wilderness
6 character and potential for inclusion in the National
7 Wilderness Preservation System.

8 (4) Livestock grazing in such areas shall be permitted
9 and managed to the same extent and in the same manner
10 as of the date of enactment of this Act. Except as provided
11 by this Act, mechanized or motorized travel shall not be
12 permitted in such areas: Provided, That the Secretary may
13 permit motorized travel on trail number 535 in the San
14 Juan National Forest during periods of adequate snow
15 cover.

16 (c) DATA COLLECTION.—The Secretary of Agri-
17 culture and the Secretary of the Interior, in consultation
18 with the Colorado Water Conservation Board, shall com-
19 pile data concerning the water resources of the areas de-
20 scribed in subsection (a) and existing and proposed water
21 resource facilities affecting such values.

22 **SEC. 10. SPANISH PEAKS PLANNING AREA STUDY.**

23 (a) REPORT.—Not later than three years from the
24 date of enactment of this Act, the Secretary shall report
25 to the Committee on Natural Resources of the United

1 States House of Representatives and the Committee on
2 Energy and Natural Resources of the United States Sen-
3 ate on the status of private property interests located
4 within the Spanish Peaks planning area of the San Isabel
5 National Forest in Colorado, as generally depicted on a
6 map entitled “Spanish Peaks Further Planning Area
7 Study”, dated January, 1993.

8 (b) CONTENTS OF REPORT.—The report required by
9 this section shall identify the location of all private prop-
10 erty situated within the exterior boundaries of the Spanish
11 Peaks planning area; the nature of such property inter-
12 ests; the acreage of such private property interests; and
13 the Secretary’s views on whether the owners of said prop-
14 erties would be willing to enter into either a sale or ex-
15 change of these properties at fair market value if such a
16 transaction became available in the near future.

17 (c) NO AUTHORIZATION OF EMINENT DOMAIN.—
18 Nothing contained in this Act authorizes, and nothing in
19 this Act shall be construed to authorize, the acquisition
20 of real property by eminent domain.

21 (d) MANAGEMENT.—Notwithstanding the provisions
22 of section 4(a) of this Act, for a period of three years from
23 the date of enactment of this Act, the Secretary shall man-
24 age the Spanish Peaks planning area as provided by sec-
25 tion 105(c) of Public Law 96–560.

1 **SEC. 11. PUMPING PLANT NAME CHANGE.**

2 The facility of the Bureau of Reclamation, Depart-
3 ment of the Interior, known as the Granby Pumping Plant
4 of the Colorado-Big Thompson Project, in the State of
5 Colorado, shall hereafter be known as the Farr Pumping
6 Plant. Any reference to the Granby Pumping Plant in any
7 law, regulation, map, document, record, or other paper of
8 the United States shall be considered to be a reference
9 to the Farr Pumping Plant.

Passed the House of Representatives July 19, 1993.

Attest: DONNALD K. ANDERSON,
Clerk.

HR 631 RS——2

HR 631 RS——3